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**Approved For Release 2001/04/05 : CIA-RDP81-00261R000600030067-4**

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ACTION		DIRECT REPLY	PREPARE REPLY
APPROVAL		DISPATCH	RECOMMENDATION
COMMENT		FILE	RETURN
CONCURRENCE		INFORMATION	SIGNATURE
Remarks:			
<p>1. Although I share your concern for doing no more to [REDACTED] than necessary, it is apparent based upon our analysis that we currently have no provision anywhere in Agency regulations for payment of expenses for preparation and transportation of <u>remains</u> of a deceased employee stationed abroad who dies while in the United States but not in a travel status. We have determined to our satisfaction that the Department of State has no authority for such expenses under the Foreign Service Act but that in its regulation it has provided for such entitlement under its interpretation, with which I agree, of a Government-wide authority. We are therefore proposing amendment of [REDACTED] to limit its application to</p>			
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FROM: NAME, ADDRESS AND PHONE NO.			DATE
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[REDACTED]

(2) to include reference to deaths within the United States while assigned to a post abroad; in this latter connection there is no need to differentiate between whether the employee was or was not in a travel status at time of death. You will note that this change has the effect in the case of death within the United States in a travel status away from a post abroad of permitting reimbursement for all reasonable expenses of preparing remains instead of the \$150 limit. [REDACTED]

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2. Additionally there has been no provision within [REDACTED] for the travel and transportation costs of a deceased employee's dependents and related shipment of household effects, etc. in the event of the employee's death in the United States while assigned to a post abroad. These costs have been allowable under the authority of the present language in [REDACTED]

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3. The attached proposed revision therefore is intended to embrace all of the above within [REDACTED] and additionally to provide for agreed upon additional entitlements for CIARDS partici-

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[REDACTED]

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[REDACTED]  
Chief, Policy & Planning Staff

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OGC 69-0986

26 May 1969

MEMORANDUM FOR: Deputy Director for Personnel

SUBJECT: Proposed Revisions of Certain Agency Regulations

1. I am returning the two proposed memoranda which

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in Death Cases. As we agreed on Friday morning, this concurrence in the proposed changes is with the following understanding: The attached definition of "Permanent Place of Residence" will be used in lieu of the one in your package. Furthermore, [REDACTED] and I agreed that in other Regulations where the term "Permanent Place of Residence" is used, not only will it be initial capped but parenthetical reference will be made "as defined in paragraph 1 of [REDACTED]"

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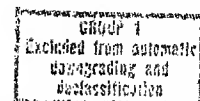
2. I am holding the other draft material until [REDACTED] forwards me Finance's comments and an adjusted service abroad agreement.

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Deputy General Counsel

Atts.

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SEA/DDS 68-1856

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21 OCT 1968

MEMORANDUM FOR: Special Support Assistant/DDS

SUBJECT : Overseas Travel Rights

REFERENCE : Memo dtd 5 Oct 68 to D/Pers fr SSA/DDS, subject: Adoption of Foreign Affairs Manual 782.1

1. As the Referent Memorandum indicates, there is a significant difference between Agency and State regulations governing the payment of travel and transportation benefits to employees who separate before completing a prescribed overseas tour of duty.

a. FAM 782.1 provides that the Department may authorize travel expenses for employees separating from the Foreign Service if any one of six circumstances are applicable, inter alia, if the employee separates after he has served five years in the Foreign Service. FAM 782 also provides the six service requirements may be waived when acceptance of a resignation is in the interest of the Government.

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b. [REDACTED] requires the completion of a service agreement by each employee going overseas. The agreement stipulates that he will repay any expenses incurred in travel to an overseas post if he fails to remain at his assigned post for a period of one to three years as prescribed in advance by the Director of Personnel. ([REDACTED] also 25X1A requires the Director of Personnel to determine when an agreement is breached.) [REDACTED] is a companion piece which denies return travel rights upon separation abroad if the service agreement is breached.

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2. In order to determine whether the difference in coverage between Agency and State regulations is necessary or desirable, certain preliminary considerations should be mentioned.

a. The Agency has sought to provide through adoptive action the benefits available to employees of other agencies when necessary (relevant, economically feasible and in the interest of Agency needs).

b. The Administrative Task Force proposal for the establishment of a uniform policy and procedure for prescribing overseas tours other than 24 months when necessary is germane to any policy revision of return travel rights. It recommended that overseas return travel

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rights and home leave travel, which is now based on two years for an initial tour and no specified length for subsequent tours, be tied together by conditioning both types of overseas travel benefits (except for retirees) upon the satisfaction of an overseas tour prescribed in advance and explained to the employee before his departure.

3. Deciding when to allow return travel at Government expense or to require a repayment of expenses for travel to an overseas post, has always been administratively difficult, principally because Government interest in the return travel is so often involved. Moreover, the Government's interest is frequently largely or partially derivative from a personal interest or action of the individual affected, rather than resulting from the Agency's desire to use the employee elsewhere. An OP short-of-tour study, in 1966, disclosed that six of 203 persons returned short-of-tour in CY 1966 were required to pay their own return travel. The consensus of officials contacted during the study favored continuance of the Agency's requirement that individuals returning short-of-tour for other than strictly official reasons should be required to pay their travel and transportation costs. There was, however, something less than uniformity in thinking on this subject among the officials, and varying interpretations from leniency to strictness have occurred in the past. The study points up the need to establish a policy that is commonly understood, preferably agreed to, and, if not the latter, at least generally enforced.

4. The existence of a more liberal system in State than in the Agency should not be controlling in reaching a decision whether or not to continue the Agency's current policy on overseas travel rights. is a general principle.

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Whether it would be good policy to follow the State rules is, of course, another question. In this respect, we checked with the Department on how it handles the administration of FAM 782.1. Our contact confirmed that State would probably return an employee at Government expense for disciplinary or problem reasons as well as other more obvious factors. It should be noted that the State representative mentioned the five-year rule (i.e., the Department may authorize travel to an employee separating after five years in the Foreign Service) should be reexamined inasmuch as an employee could quit after a few months and receive travel rights. Caution therefore should be exercised in adopting FAM 782 by reference since the future scope of that regulation is uncertain.

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5. This Office is also concerned about following the section in FAM 782.1, which permits an employee on a second or subsequent overseas tour to receive return travel expenses after he completes one year abroad (provided he has not had home leave within a year). We believe a policy basing return travel rights on one year, instead of two years, for employees on a second or subsequent tour should be avoided by the Agency in the interests of efficiency and economy. We also question the desirability of distinguishing between the overseas travel rights of employees who are on a first versus a second or subsequent tour.

6. We conclude from the above considerations that greater flexibility of administration and uniformity of understanding are needed in making decisions on return travel rights than now exist under the provisions of

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25X1A 7. Instead of the present authority given to Director of Personnel in [REDACTED] to determine whether overseas agreements are breached, we recommend he be given authority to waive service requirements in individual cases when in the Government's interest (similar to the authority now contained in FAM 782.1).

8. Subject to the agreement of your Office, we prefer to defer the initiation of a regulatory change in the Travel series incorporating the above recommendation until the policy questions contained in Proposal 2 and 10 of the Task Force are resolved. At that time the several changes contemplated in the Travel regulations could be concluded in a single revision.

[REDACTED]

Robert S. Wattles  
Director of Personnel

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5 OCT 1968

MEMORANDUM FOR: Director of Personnel

SUBJECT: Adoption of Foreign Affairs Manual #782.1

1. In a current case involving a Secretary [REDACTED] it has been determined that Agency rules and regulations governing return travel from an overseas post for purposes of resignation are more stringent than those followed by State Department, USAID and USIA. Chief, NE Division, has requested that our regulation be reviewed in order to determine whether this difference in coverage is necessary.

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2. The Administrative Authorities Task Force was established to review our law and regulations in relation to those of other agencies to determine that our employees were receiving comparable treatment with that afforded employees of other government agencies. I do not believe that the particular situation involved in this case was considered by the Task Force; but it is one which should be reviewed.


3. In the case under review, the Secretary was employed by CIA on 3 December 1963, has previously completed a 2 1/2 year tour [REDACTED] was then assigned to Headquarters for a tour of duty, on 7 June 1968 was assigned to [REDACTED] for a tour of duty, and did sign a Service Agreement prior to her departure from Headquarters. She has now requested return to the United States for personal reasons (probable marriage) in December 1968 after she completes five years of service with the Agency.

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Under Agency Regulations, she will be required to repay her travel expenses from Washington to [REDACTED] and will be responsible for her travel expenses from [REDACTED] to the U.S. Under the Foreign Affairs Manual, she would not be charged for travel costs from Washington to [REDACTED] and her travel expenses from [REDACTED] to the U.S. would be paid by the government. The FAM citation is FAM 782.1c which states: "The Department may authorize travel and shipment of effects of the following U.S. citizen non-temporary employees separating from the Service: (c) An employee who has had 5 years of continuous service in the Foreign Service." I am advised that under the circumstances of this case, the State Department would authorize return travel at government expense.

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4. It is requested that consideration be given to whether our Regulations could and should be amended to include a provision similar to FAM 782.1c.

  
Special Support Assistant/DDS

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14/6/68

DD/S 68-2265

26 JUN 1968

100/83458

MEMORANDUM FOR: General Counsel  
Legislative Counsel  
Deputy Director for Intelligence  
Deputy Director for Plans  
Deputy Director for Science and Technology

SUBJECT : Administrative Authorities

REFERENCE : Memo dtd 10 Oct 67 for DD/S fr Ex. Dir.-Compt.,  
same subj

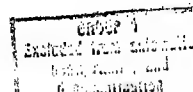
1. This memorandum contains recommendations for your concurrence; such recommendations are contained in paragraph 3.

2. In referent memorandum, the Executive Director-Comptroller asked for a review of existing Agency authorities in the fields of travel expenses, allowances, and other fringe benefits provided to Agency employees to ensure that they are as favorable as those provided by existing laws enacted for other Government employees in similar circumstances. A committee which was established for this purpose reviewed CIA authorities and the administrative authorities of other agencies and proposed certain changes in our regulations. Some of the proposals required the approval of the Executive Director-Comptroller and others merely require adoption in Agency regulations.

3. I am attaching a copy of certain committee proposals together with the rationale for their adoption. These have been extracted from the committee report. These are the proposals which the committee believes we can and should adopt under existing Agency authorities. A summary of the proposals is as follows:

a. Pay travel and transportation expenses of personnel separating abroad for reasons other than retirement to their "permanent place of residence".

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b. Limit payment of travel and transportation expenses of an employee retiring abroad to a place in the United States, its territories or possessions, designated by the employee at the time of retirement.

c. Amend Agency regulations to increase the reimbursement rate for use of privately owned vehicles for official business in the Metropolitan Washington area.

d. Establish a uniform policy and procedure for prescribing overseas tours other than 24 months, when necessary.

e. Clarify home leave points.


f. Eliminate duplicative eligibility criteria in Agency regulations for authorizing home leave travel and home leave (time).

g. Establish regulatory criteria and procedures for determining an employee's eligibility for home leave and the Home Service Transfer Allowance.

h. Conform Agency regulations to State policy, limiting the home leave of personnel assigned in the United States after an overseas tour to 15 workdays.

i. Liberalize procedure for approving per diem for family at TDY stops up to 30 days, while en route to a PCS point.

4. I believe that the adoption of the proposals in paragraph 3 and their incorporation into Agency regulations will produce important benefits for Agency employees. I would appreciate your concurrence by 15 July 1968 so that we may expedite these actions.

  
R. L. Bannerman  
Deputy Director  
for Support

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Att

Section II of Administrative Authorities  
Committee Report, March 1968

SUBJECT: Administrative Authorities (DD/S 68-2265)

CONCURRENCES:

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[Redacted]

General Counsel

July 12, 1968  
Date

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[Redacted]

Legislative Counsel

15 July 68  
Date

See attached memo from C/DDI Admin  
Deputy Director for Intelligence

\_\_\_\_\_  
Date

See RDP 8-3457 (DD/S 68-1126)  
Deputy Director for Plans

\_\_\_\_\_  
Date

See DD/S+T Memo #4034-68, 2 Dec 68  
Deputy Director for Science and Technology

\_\_\_\_\_  
Date

SPA-DD/S:HM:klm (6 May 68)

Rewritten:ADD/S:JWC/ms (15 June 68)

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DD/P ATT, To  
DD/S 68-2265

## SECTION II. OTHER PROPOSALS PRESENTED BY THE SUPPORT SERVICES

### A. Recommended by Committee

4. PROPOSAL: Pay travel and transportation expenses of personnel separating abroad for reasons other than retirement to their "permanent place of residence."

Present Regulation: Pay travel and transportation expenses upon separation abroad "to headquarters or place of residence at time of appointment, including removal of effects from storage and delivery to authorized destination if no service agreement has been breached."

Recommendations: Change Agency regulations to authorize travel and related shipment and storage of effects at Government expense upon separation abroad from last duty post to the employee's permanent place of residence in the United States, its territories or possessions, which is designated in official records. Allow payment of these costs at Government expense to such other place as may be approved provided that the reimbursable costs do not exceed the constructive cost that would have been incurred in the payment of travel and transportation in a one lot shipment, by the transportation means usually employed, between the employee's duty station and his permanent place of residence.

The meaning of "permanent place of residence" should be included in Agency regulations as follows: normally means the dwelling place an employee has maintained for himself, his family for some time in the United States, its territories or possessions prior to his transfer or appointment to an overseas post of assignment. (Each employee should designate his permanent place of residence for approval by Agency officials at the time he departs on his first tour of duty outside the continental United States.) He should be permitted to request the authorization of a location other than his current dwelling as his permanent place of residence if he can show, at the time of his transfer or appointment, that his current dwelling place or residence is temporary or that he has taken concrete action to establish a new permanent place of residence in the United States, its territories or possessions with the intention of maintaining such location as his permanent place of residence upon his return from the overseas post. Information that could be presented in writing as evidence includes: state voting registration, property ownership, prior periods of residence, place where income or personal property taxes have been paid and other factual information evidencing a permanent place of residence other than the employee's dwelling place at the time of transfer or appointment.

Comment: The desirability of allowing overseas resignees or terminees to receive travel and transportation expenses to their permanent place of residence of official record was considered, versus the alternative of permitting them

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travel at Government expense to a place of their own choosing, e.g., anywhere in the United States, its territories or possessions. We recognize that resignees who satisfy their overseas tour or are authorized to resign prior to the completion of their prescribed period are entitled to return travel to the United States, but we believe they should not be accorded the right of travel to any place of their choice. (On the contrary, we believe the regulatory procedure followed by the State Department in limiting the return travel rights of overseas resignees to a designated residence of record in the U. S. is a desirable parallel, since we cannot conceive of any special reasons for treating Agency overseas resignees differently.)

In particular, the Committee feels that granting overseas resignees the right of travel to anywhere in the United States, its territories or possessions would have the effect of placing a premium on overseas resignations, which is contrary to the Agency's policy of encouraging personnel to process out at Headquarters. We therefore, support authorization of travel to overseas resignees to their officially recorded permanent place of residence in the United States, its territories or possessions.

The current regulatory provision for payment of travel to overseas resignees, i.e., "place of residence at time of appointment" has caused considerable confusion. Some Divisions are construing it to mean whatever place of residence in the U. S. is designated by the employee at the time of his resignation overseas. Clarification of this matter should be effected by a regulatory definition of permanent place of residence, to which return travel rights of resignees abroad would be pegged.

5. PROPOSAL: Limit payment of travel and transportation expenses of an employee retiring abroad to a place in the United States, its territories or possessions, designated by the employee at the time of retirement.

Present Regulation: Travel and transportation expenses may be authorized for an employee retiring abroad "to the place where he will reside."

Recommendation: Adopt the above proposal.

Comment: The principal reason for this recommendation is to limit the current preferential right of those retiring abroad to receive payment of travel and transportation expenses to any place in the world. The change is an adjunct to the Committee's proposal in Section I of this Report, which recommends that CIAR retirees, regardless of duty station (U. S. or abroad), be granted travel and transportation costs to a place within the United States, its territories and possessions which they designate at the time of retirement.

Section 4(1)(C) of the CIA Act of 1949, as amended, provides that the Agency, under such regulations as the Director may prescribe, may pay the cost of transporting the furniture and HHE upon retirement to the place "where he

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[the employee] will reside." Section 4(1)(A) permits a comparable travel benefit for the employee and his family. Section 911(3) of the Foreign Service Act of 1946, as amended, contains a similar provision; namely, payment of travel and transportation expenses "upon termination of his services. [Resignee or retiree] to the place where he will reside." These statutory similarities are not carried out, however, in the Agency and State regulatory provisions applicable to overseas retirees. Whereas the Agency allows overseas retirees to receive travel and transportation expenses to the place where they will reside, i.e., anywhere in the world, the Department of State has limited such travel to an officially recorded place of residence in the United States, its possessions or Puerto Rico. It has also tightened up its procedures to ensure that changes will not be made except for a good reason (especially just before retirement). While the Committee does not advocate that the travel benefit accorded overseas retirees should conform completely to the system in the Foreign Service, we do believe an entitlement to travel and transportation expenses should be limited to a place in the United States, its territories or possessions.

In practice, employees often retire abroad, rather than returning PCS to Headquarters for separation, in order to take advantage of the travel benefit available to overseas retirees (22 of 68 retiring under CIAR in Calendar Year 1967). Only one employee, however, elected in CY 1967 to remain abroad after CIAR retirement. Although we do not have any available data on employees staying abroad after retirement under the Civil Service Retirement Act, we presume the total is also small in number. Thus, few individuals are expected to be adversely affected by the proposed change, and the recommended action should act as a future deterrent against personnel not returning to the United States upon cessation of employment. We believe that the number of personnel staying overseas should be kept to a minimum for security reasons, and the Agency should not as a matter of policy condone or encourage them to remain abroad by paying their travel costs to an overseas destination. Moreover, an employee's election to go anywhere in the world could be more expensive in some cases than returning them to the United States, its territories or possessions.

6. PROPOSAL: Amend Agency regulations to increase the reimbursement rate for use of privately owned vehicles for official business in the Metropolitan Washington area.

Present Regulation: Reimbursements for use of privately owned passenger vehicles between points within the Metropolitan Washington area are authorized at rates not to exceed 10 cents per mile.

Recommendation: Revise present regulation to provide for mileage payments at rate not to exceed 12 cents per mile with corresponding increases in the flat rates established for certain areas within the Metropolitan Washington area.



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Comment: The present regulation evolved from an Agency decision in 1961 to establish a schedule of flat-rate reimbursements for official trips via private vehicles between the Headquarters Building and certain destination points in the Metropolitan area. Those reimbursements as well as reimbursements between other locations in the Metropolitan Washington area were limited to a 10 cents per mile rate which is the mileage rate authorized by the Standardized Government Travel Regulations (SGTR's) when a POV is used in lieu of a taxi between common carrier terminals and place of abode or place of business. It is to be noted that the SGTR provision in this latter instance has the effect of allowing 10 cents per mile for "non official" mileage (namely, the one-half of the round trip in which the employee is not an occupant of the POV), so long as the total round trip allowance on this basis does not exceed the one-way taxi fare. The same paragraph of the SGTR's provides that employees authorized to use a POV in the conduct of official business within or outside the designated post of duty may be authorized reimbursement on a mileage basis at a rate not to exceed 12 cents. At the present time, Agency regulations authorize a not to exceed 12 cents per mile rate for official travel within the United States except travel in the Metropolitan Washington area. In the interests of equity and consistency with the provisions of the SGTR's, it is concluded that the mileage rate base for travel within the Metropolitan Washington area should be increased from a maximum of 10 cents to 12 cents.

7. PROPOSAL: Establish a uniform policy and procedure for prescribing overseas tours other than 24 months, when necessary.

25X1A Present Regulation: There is no specific procedure in Agency regulations for establishing the length of tours of duty at overseas stations. [REDACTED] 3), Home Leave, presumes that tours of duty are prescribed in the Agency when it asserts that "home leave may be granted upon completion of each substantial period of service outside the United States which shall not be less than the prescribed tour of duty for the employee's post of assignment....." *unless D/Pers determines that an earlier grant is warranted.*

25X1A In regard to individual service agreements for overseas travel entitlements, [REDACTED] states: "Expenses of travel and transportation incident to appointment to a post abroad or transfer from CONUS to a post abroad shall not be allowed unless the employee agrees in writing to remain at his assigned post for a period of not less than one nor more than three years prescribed in advance by the Director of Personnel."

Recommendations: Agency regulations should specify that the normal tour of duty overseas will consist of 24 months continuous service unless some other period is officially prescribed for application at a particular overseas post either to all personnel or employees in specified grades.

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The regulations should contain detailed procedures for authorizing such exceptions in advance of their applicability.

Comment: It is generally presumed that an overseas assignment is for a two-year period, in the absence of any definite regulatory procedure for establishing the exact period of overseas service required at overseas stations. In practice, the actual anticipated lengths of overseas tours are often informal understandings between employees and their offices; return travel rights, on the other hand, are explicitly spelled out in Overseas Agreements, signed by employees, automatically citing two years in most cases. Home leave eligibility, another independently considered factor in this picture, is confined by current regulations to two years for initial tours but is subject to individual determinations during subsequent tours without any length being specified as a norm. The above recommendations would tie these elements together, by conditioning the provision of the overseas travel benefits, except to retirees, upon the satisfaction of a prescribed overseas tour, as stated in an employee's Overseas Agreement and explained to him prior to his departure overseas.

We are not recommending that the multiple tour and home leave arrangements of the Department of State be adopted en toto by the Agency, since State's administrative and operational requirements at each post do not equate to our own. For example, the Department of State has a large number of posts in which home leave may be taken after 18 months by support and junior personnel, and most of these posts also grant these personnel the alternative of staying two years with an intervening R & R.

Many of the State posts have a three-year tour and leave policy for senior and mid-career officers, but it is usually only one of several options available, such as two years, two years and two years, three years and two years, 18 months and 18 months, etc. Cognizance is also taken of the fact that Agency officials have not considered it necessary in the past to formally prescribe a multiplicity of tour arrangements throughout the world, although in a few instances variances from 24 months have been approved for all employees or employees in certain grades, e.g., Saigon and

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We believe the principal consideration in establishing a prescribed overseas tour at a station other than 24 months would be in most cases the cover or local circumstances which affect the most appropriate time for granting home leave. If, by regulation, home leave eligibility were made contingent upon the completion of an overseas tour, there would normally be no necessity for having a procedure to establish home leave eligibility periods separate from prescribed overseas tours. (An exception would be the need raised by an Operating Official to establish a period of home leave eligibility for a particular employee or group of employees at a station without changing the length of the tour generally applicable.)

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8. PROPOSAL: Clarify home leave points.

Present Regulation: Home leave point means the place within the U. S., its territories or possessions designated by employee provided it is a place which employee, spouse, children or parents have established permanent social and community ties by reason of residence or in unusual situations any other point approved by the Director of Personnel.

Recommendations: Provide that the place or places of return travel that may be designated for home leave include permanent place of residence (of record), headquarters and other locations in which children, parents, parents-in-laws, brothers and sisters or brothers and sisters-in-law reside. Permission should also be granted an employee to request in writing other points for approval such as the location he intends to establish as his future permanent residence (e.g., by actual residence during periods of home leave).

The designation of one or more requested home leave points by an employee could be contained in an Overseas Agreement executed at the time he is processed for his first PCS assignment outside the United States. Thereafter, redesignations could be requested at any time, but only when one or more of the stipulated grounds for making the original designation are changed.

Comment: One of the most frequently recurring difficulties in administering home leave is deciding upon the correct home leave point in individual cases. Clear-cut criteria should be prescribed by regulations and could be brought to the employee's attention when most relevant; namely, at the time the employee departs overseas.

The proposed changes should eliminate considerable paper work and should benefit our employees by being more liberal and clear than the present regulation. Although the changes above would not be as lenient as the system in the Foreign Service, which essentially permits employees to initially designate any place of their choosing, we recognize that members of the Foreign Service, as public representatives, are expected to use their home leave time in learning and seeing different areas of the country. It is interesting to note that the State Department tightened up in 1967 its rules on redesignations for home leave purposes by stipulating that changes must be for valid reasons and headquarters approval must be obtained by the field. Specific examples of appropriate bases for change that were given by the Department include: relocation of home of parents, children or other close relatives; better climate because of health reasons; and anticipated area of separation for a second career.

9. PROPOSAL: Eliminate duplicative eligibility criteria in Agency regulations for authorizing home leave travel and home leave (time).

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Field Reassignment Questionnaire (FRQ) is forwarded to Headquarters, or as soon thereafter as possible, and it should acknowledge his understanding that home leave eligibility is contingent upon the following: (a) satisfaction of his prescribed tour; (b) his willingness "to return to service outside the United States upon completion of an assignment in the United States;" (c) a determination by Headquarters that it contemplates he will be returned to service outside the United States "upon completion of an assignment in the United States;" and (d) he will be liable for a refund of any home leave and home leave travel granted if he resigns or retires within six months of return to the United States. The form should also contain a section for the employee to acknowledge his understanding that the provision of a Home Service Transfer Allowance, if otherwise payable, will be dependent upon the certifications in b. and c. above and that he will be subject to a refund of the HSTA if he resigns or retires within six months of return to duty in the United States.

The regulatory procedure should prescribe that the certification form would be channeled through the Chief of Station or Base and the Headquarters Office concerned to the appropriate Career Service for its determination whether or not the employee's return overseas is "contemplated upon the completion of an assignment in the United States."

In making individual determinations, the Career Service should not approve an employee's eligibility for home leave or the Home Service Transfer Allowance, when payable, if the Career Service concludes the employee probably will not be returned overseas because of one or more of the following considerations: (a) his qualifications, work performance, or intended utilization; (b) his state of health, which the Director of Medical Services believes may or will prevent the employee's return abroad; (c) his return to the U. S. from overseas involves cause, personal reasons or other circumstances which will likely result in no subsequent future assignment overseas; (d) he will be at least age 59 by the date of his return to the United States and there are no positive plans to extend his employment for an additional tour overseas; or (e) future staffing plans of the Career Service. Determinations of the Career Service involving considerations of employee suitability, qualifications, work performance, personal reasons, compassionate reasons, or health considerations should be made with the approval of the Director of Personnel.

The certification form should be returned to the field with the finding of the Career Service, and the Director of Personnel when applicable, as the basis for authorizing or not authorizing home leave in the PCS Travel Orders executed by the station or base. A copy of the form should be retained by the Operating Office concerned for use in processing a claim for the HSTA, requested by the employee in accordance with requirements in Agency regulations, upon his return to duty in the U. S.

Comment: The Committee's recommendations for a joint Agency-employee certification as a prerequisite for payment of the Home Service Transfer Allowance is in consonance with the requirement in the Standardized Regulations (Government Civilians, Foreign Areas) and with the expressed views of the Deputy Director of Central Intelligence. He had occasion to state: "I agree with this decision [an employee's appeal] but consider our regulations on Home Transfer Allowance

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much too vague. For example, if claimant had signed a certification before making this claim he would have been entitled to HSTA even though there may not have been any clear intent to send him to a foreign assignment on his subsequent tour. Seems to me there should be clearer limitations than simply being subject to and willingness to accept foreign assignment at some unspecified future time."

The Director of Personnel referred the issue to this Committee with the suggestion it consider the feasibility of establishing similar or identical criteria for determining when an employee is eligible or ineligible for home leave and the Home Service Transfer Allowance, if otherwise payable by regulation. We believe that essentially the same criteria of eligibility could be applied to both home leave and the HSTA. In each instance there should be a mutual agreement by the Agency and the employee that it is contemplated he will return to another tour abroad upon the completion of an assignment in the United States (which could be days or years in duration). Moreover, the concern of the Deputy Director that "there should be clearer limitations than simply being subject to and willingness to accept foreign assignments at some unspecified future time" applies, in our opinion, to determinations of eligibility for home leave as well as for the HSTA.

Under present arrangements, home leave can be authorized in the field through the issuance of PCS Travel Orders, without the personnel executing the Orders having any specific knowledge of the Agency's intention to return an employee overseas after an assignment in the U. S. The HSTA, however, is claimed and certified, when payable, by an employee at Headquarters. Incompatibilities could occur, if the Agency were to institute a system requiring a Career Service to determine whether an employee will be sent overseas in the future as the basis for paying the HSTA without providing for a corresponding decision as the basis for granting him home leave. For example, situations could arise in which an employee would receive home leave, as an incident to a Travel Order, but not receive the HSTA, because of an official determination that it was not contemplated he would return overseas. The recommendations above should avert this problem.

In most cases, confirmation of an employee's eligibility to receive home leave or a Home Service Transfer Allowance, if payable by regulation, could be handled as a part of the FRQ process, in planning his next assignment. We realize there would be occasions when a field decision on the timing of home leave could come up shortly before an employee's prospective return, e.g., due to staffing arrangements at the station or employee returns short of tour; in such situations, the certification form could be transmitted by dispatch rather than accompany an FRQ.

(Utilizing the existing FRQ system in determining the eligibility of employees for home leave and the HSTA should result in compatible decisions being made on both benefits without the necessity of establishing a new administrative process.) Although we believe such determinations should be made before an employee departs from overseas for an assignment in the U. S., we recommend adoption of the recommended criteria above for making the Agency-employee certifications even if some other administrative arrangements are decided upon.

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11. PROPOSAL: Conform Agency regulations to State policy limiting the home leave of personnel assigned in the U. S. after an overseas tour to 15 workdays.

Present Regulation: Authorizes a maximum of 60 calendar days to be used for travel, consultation and home leave.

Recommendation: Issue a regulatory change providing that employees assigned PCS in the United States following a tour of duty overseas with eligibility for home leave will be granted not more than 15 workdays of home leave upon their return to the United States, unless an exception is approved by the Director of Personnel. Exceptions could be approved if conditions similar to the following exist: (a) additional rest and recuperation is needed due to service under particularly difficult circumstances; (b) an exceptional delay of home leave occurred due to operational requirements abroad; or (c) serious personal or family problems warrant extended home leave.

Comment: The recommendation, as stated above, was favorably considered in 1966 by the Personnel Advisory Board (senior Agency Officials representing the Directorates), but administrative action to implement the proposal was never completed.

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Adherence to the policy of the Department is also considered desirable because the presumed reasons causing the Department to limit the home leave of those stationed in the U. S. to 15 workdays appear to apply equally to CIA and other governmental agencies with overseas operations, e.g., economy; fuller employee utilization; and, conceptually, a lesser need for extended home leave by those staying in the U. S. after completion of home leave, as contrasted to those who return immediately overseas.

12. PROPOSAL: Liberalize procedure for approving per diem for family at TDY stops, up to 30 days, while en route to a PCS point.

Present Regulation: Operating Official, Chief of Station or Chief of Base may approve per diem not to exceed three workdays for dependents accompanying an employee when the employee and his family are required for cover or administrative processing to delay at a station or area headquarters while en route to or from a post of assignment. Any other approval must be granted by a Deputy Director on a non-redelegated basis.

Recommendation: Permit the Deputy Director concerned, if he wishes, to delegate authority to an Operating Official, Chief of Station or Chief of Base to approve necessary per diem for dependents accompanying an employee at a TDY stop outside CONUS while en route to or from a PCS point overseas. The approval could be granted for any justifiable official reason (cover, administrative, operational, health, etc.) not to exceed 30 days. Authority for approvals in excess of 30 days could be retained by the appropriate Deputy Director on a non-redelegated basis.

Comment: The administrative problems encountered in handling cases of family per diem relating to TDY in excess of three days were recounted to the Committee, both by a representative of the Office of Communications and the Chief, Central Travel Branch. Our discussions with these officers suggest that the administrative burden now experienced largely would be eliminated by the above recommendation. (Although the recommendation could be implemented under existing Agency authorities, there is precedence for the proposed time period of 30 days in Section 156.7 of the Foreign Service Travel Regulations applicable to AID, which states: "Payment of per diem during a period of temporary duty of the employee but not to exceed 30 calendar days total is authorized for members of an employee's family accompanying him to post of assignment when the employee is ordered to stop within the host country for orientation, training, or consultation while en route to post of assignment." A similar provision authorizes per diem for family stopovers outside the country of destination due to the same reasons above, provided such stops are in the interest of the Government and necessary due to threat to health, safety or well-being of family if they were required to continue on to the post of assignment not in the company of the employee.

We believe the present right of the Deputy Directors to exercise this authority should be retained if they wish to do so and, accordingly, have suggested a regulatory change which would permit them the option to lower the level of approval within their Directorates.

SECRET



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Exec

68-274/2

21 MAY 1968

MEMORANDUM FOR: Executive Director-Comptroller

SUBJECT : Administrative Authorities

REFERENCE : Memo dtd 30 Apr 68 to Ex. Dir. - Compt.  
fr DD/S, same subj.

1. This memorandum contains a recommendation for your approval; such recommendation is contained in paragraph 4.

2. On 30 April 1968, you approved the recommendation in referent memorandum (Attachment "A") that the Agency adopt the administrative authority of the Foreign Service Act, as amended, which provides for payment of travel and transportation expenses of retirees regardless of their PCS point (U.S. or abroad) to a designated place in the U.S., its territories or possessions.

3. A closely related, but separate, provision of the Foreign Service Act provides for the reimbursement of travel and transportation expenses of the dependents of a deceased employee to a designated place of residence, regardless of the employee's PCS point (U.S. or abroad). At Attachment "B" is a copy of paragraph 126.5-3, Vol. VI, of Foreign Service Travel Regulations containing this authority. The Agency does not now have this authority. It would appear that there is no significant difference between the service requirements of certain employees of this Agency and members of the Foreign Service as regards the requirement to serve tours of duty at any location throughout the world including the U.S. While there may be other instances also, we suggest that this has particular pertinence to employees of the Office of Communications and certain employees assigned to the

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Under current Agency Regulations,

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however, such dependents would normally have no travel and transportation entitlements. Should the death of these same employees occur at an overseas installation, while serving a tour of duty, their dependents could be returned at government expense to a designated place of residence in the U.S. Although we mention but these three components as examples, there must be many instances of similar circumstances where, should an employee die while in the U.S. between overseas tours, his dependents must personally bear the travel and transportation expenses to the place where they will permanently reside.

4. Since the administrative authority of the Foreign Service which provides for this benefit was intended to cover members of a government service required to serve tours of duty in both foreign areas and in the U.S., and these requirements parallel those of that group of Agency employees for whom the benefits of the CIA Retirement System are intended to apply, it would be my thought that the Foreign Service authority covering this subject be adopted by the Agency for application to members of the CIA Retirement System. It is recommended, therefore, that you approve the adoption of the administrative authority of the Foreign Service Act, as amended, pertaining to this proposal. Following your approval, this authority will be incorporated into Agency Regulations.



J. L. Bannerman  
Deputy Director  
for Support

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Attos

CONCUR:

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General Counsel

May 21 1958  
Date


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Deputy Director for Plans

23 May 68  
Date

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APPROVAL		DISPATCH	RECOMMENDATION
COMMENT		FILE	RETURN
CONCURRENCE		INFORMATION	SIGNATURE
Remarks:			
<p><i>Pg 204 discussion.</i></p> <p><i>Jack -</i></p> <p><i>The answer is that Death in Wash. is to be covered in the spirit of family and HWT (not w/ the body) to the place of residence. This has been confirmed by [redacted] and Jack Coffey. [redacted]</i></p>			
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FROM: NAME, ADDRESS AND PHONE NO.			DATE

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30 NOV 1964

MEMORANDUM FOR: Deputy Director for Support

SUBJECT : Per Diem for Dependents Delayed for Processing  
During Overseas Travel

1. This memorandum contains a recommendation for your approval. Such recommendation is contained in paragraph 5.
2. In January of 1963, you signed a memorandum to the Deputy Director of Central Intelligence requesting his approval of a policy under which the Agency would pay travel expenses including per diem to dependents in instances where it is necessary that the dependents accompany their sponsor in the course of brief periods of temporary duty at one or more points en route to the PCS point. This memorandum (which is attached as Tab A) was approved by the Deputy Director of Central Intelligence on 2 February 1963. As a condition of his approval, the Deputy Director of Central Intelligence stipulated that authorizations for the payment of per diem to dependents accompanying their sponsor on TDI would be made only by the Deputy Director concerned. This policy was incorporated into the Agency travel regulations in October 1963.
3. In the amendments to the Foreign Service Travel Regulations which were published in September of 1964, a paragraph covering this subject has been included. This paragraph reads as follows:



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4. We are now in receipt of a staff study prepared by EE Division which requests that the [REDACTED] be delegated authority to authorize per diem for dependents of personnel assigned to the [REDACTED] Bases when these dependents together with their sponsors must stop en route to or from the bases for processing in [REDACTED]. The problem of families being required to stop at a station headquarters for processing prior to moving on to a base of assignment is a common one in many areas of the world. Most bases have limited support capabilities and rely to a large extent on those afforded by their parent station. It is a common practice to have base personnel and their families processed through the station, both at the time of arrival and at the time of departure from the Field. Very often the families concerned bear unusual expenses during these delays for processing, and we believe that a provision for the payment of per diem to dependents under these circumstances is not only justified but is also consistent with normal Government practice. We do not believe that the DDCI intended to cover this particular travel circumstance under the conditions he imposed with his approval of the general subject of payment of per diem to dependents.

5. Rather than process the staff study pertaining to the [REDACTED] 25X1A situation as an exception to the current policy, we believe it would be appropriate to amend our regulations at this time to provide for the Chiefs of Operating Divisions to authorize per diem for dependents when delays en route are necessitated for processing purposes. Specifically, it is recommended that the following paragraph be inserted in the Agency regulations where appropriate:

"Payment of per diem to dependents for a period not to exceed 3 working days may be authorized by a designated Authorizing Officer when an employee and his family traveling on transfer,

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home leave, or separation orders are required to delay at a station headquarters while en route to or from a base of assignment for the purpose of cover or administrative processing. Per diem for dependents will not normally be authorized at stations where temporary quarters are provided at no cost to the travelers."

6. Upon your approval, we will initiate an amendment to the regulations.



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Special Support Assistant/DDS

The recommendation contained in paragraph 5 is approved.

\_\_\_\_\_  
Deputy Director for Support

\_\_\_\_\_  
Date

Attachment

**Distribution:**

Orig - SSA-ED/S via ED/S  
1 - SSA-ED/S chron  
2 - ED/S

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Copy

18 Jan 1963

MEMORANDUM FOR: Deputy Director of Central Intelligence

SUBJECT : TDY Per Diem for Dependents

1. This memorandum contains a recommendation submitted for the approval of the Deputy Director of Central Intelligence. Such recommendation is contained in paragraph 4.

2. In a number of cases it is necessary or desirable, in ordering an employee to his permanent post of assignment abroad, to assign him to brief periods of temporary duty at one or more points en route to his PCS point and in some instances this necessitates travel by other than the most direct route. Similar needs arise upon transferring an employee from his permanent post of duty abroad to one in this country or to another one outside the United States. In these cases his dependents usually must accompany him. To require the employee to bear the expenses of his dependents during these periods of temporary duty appears an unreasonable burden. The problem is particularly apparent at this time because legislation enacted in September of 1961, implemented by a Foreign Service regulation in August of 1962, granted such authority in the case of Foreign Service travel. Thus, the contrast between entitlements available to Foreign Service personnel and those of this Agency presents some morale [REDACTED] problems. Specific legislation similar to that now available to the Foreign Service is included in the CIA bill now with the Bureau of the Budget which is intended for submission to Congress in the very near future.

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3. To meet this problem, it is proposed to authorize the payment of per diem for dependents for the periods of the employee's temporary duty. It is believed this requires that the extraordinary authorities of the Director or Deputy Director under section 8(b) of the CIA Act of 1949, as amended, be invoked. These authorities have been used for somewhat similar purposes in the past, notably for medical benefits for dependents and for storing household effects of employees assigned to [REDACTED]. Further, the legislation for the Foreign Service would indicate congressional approval of the policy the present action would adopt.

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Page 1 of 2

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4. Accordingly, it is recommended that you approve the policy proposed herein and the attached revision to Headquarters regulations.

L. K. White  
Deputy Director  
(Support)

Attachment

CONCURRENCES:

There would be no legal objection to a determination by the Director or Deputy Director as recommended above.

/s/  
Lawrence R. Houston  
General Counsel

18 Jan 63  
Date

25X1A

[REDACTED]  
for Richard Helms  
Deputy Director  
(Plans)

22 Jan 63  
Date

/s/  
John A. Bross  
Comptroller

21 Jan 1963  
Date

The recommendation contained in paragraph 4 is approved per my note below.

/s/  
Marshall S. Carter  
Lieutenant General, USA  
Deputy Director

2 Feb 63  
Date

DRAFTED: OGC:RHL:cdk  
TYPED: SSA-DDS:vld (1-18-63)  
Distribution:

Orig - SSA-DD/S  
1 - DDCI  
1 - ER  
1 - DDP  
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2 - DDS  
2 - OGC

While I approve the policy, I do not think we should advertise it. In order to avoid possible abuse. These cases should be handled individually, the authorization for TDY travel should be made in light of possible dependents involvement, and approvals made only by Deputy Director concerned. I do not want to establish a pro forma procedure for TDY junkets, en famille. MSC



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ROUTING AND RECORD SHEET				
SUBJECT: (Optional)				
FROM: Special Support Assistant/DDS Room 7D-18 HQS		EXTENSION 6025	NO.  DATE	
TO: (Officer designation, room number, and building)	DATE RECEIVED      FORWARDED		OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)
1. Deputy Director for Plans Room 3C-34 HQS	2 DEC 1963		MD	<p>25X1A</p> <p>22/5 and 43/8 improved re designated, MD</p>
2.				
3. Special Support Assistant/DDS Room 7D-18 HQS	12/1		MD	
4.				
5. Deputy Director for Support Room 7D-18 HQS	2 DEC 1963		MD	
6. Executive Director	12/3	12/4	[REDACTED]	
7. Deputy Director of Central Intelligence Room 7E-12 HQS				
8.				
9. Special Support Assistant/DDS Room 7D-18 HQS				
10.				
11.				
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SSA REGISTRY

FILE

*Authorizations DD/S 65-5779*

DD/P 5-5632

Executive Registry

65-7101

- 2 DEC 1965

MEMORANDUM FOR: Deputy Director of Central Intelligence

THROUGH : Deputy Director for Plans  
Deputy Director for Support

SUBJECT : Delegation of Authority -- TDY Per Diem for Dependents

1. This memorandum submits a recommendation for your approval. Such recommendation is contained in paragraph 5.

2. In February of 1963, the Deputy Director of Central Intelligence approved a paper authorizing an amendment to Headquarters regulations to permit the payment of per diem for dependents during periods where it is necessary that such dependents accompany an employee on temporary duty. In granting his approval, the Deputy Director stipulated that approvals would be made only by the Deputy Director concerned, since he desired to avoid the establishment of a pro forma procedure which might lead to abuse of this policy.

3. In the period since the above policy was approved, experience has shown that the vast majority of cases submitted for authorization of the payment of per diem for dependents have involved routine delays en route for short periods of briefing and processing, and, in the case of employees traveling to the United States for either home leave and return or PCS travel, a large number of cases where the Medical Staff has requested dependents to come to Headquarters for medical evaluation of a known or suspected medical problem.

4. We believe that, with the exception of the rare case where TDY per diem is requested for a dependent so that the dependent may accompany the employee on an operational or other non-routine trip, there remains little need for the authorization for dependent TDY travel to remain at the Deputy Director level.

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25X1A 5. It is recommended, therefore, that the travel regulations pertaining to TDY travel by dependents [REDACTED] be amended to eliminate the phrase, "This authority may not be delegated," and substitute therefor the phrase, "This authority may be delegated to a single senior subordinate only." If such an amendment is authorized, the delegation to the single senior subordinate could specify that the authority is to be exercised only in those cases which are already of a routine nature.

[REDACTED]  
Special Support Assistant/DDS

25X1A

CONCUR:

25X1A

[REDACTED]  
Desmond FitzGerald  
Deputy Director for Plans

2 DEC 1965

Date

25X1A

[REDACTED]  
R. L. Bannerman  
Deputy Director  
for Support

2 Dec 65

Date

The recommendation contained  
in paragraph 5 is ~~approved~~ *disapproved*.

25X1A

[REDACTED]  
Richard Helms  
Deputy Director of Central Intelligence

*Ex. Dir.*

9 Dec 65

Date

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SUBJECT: Delegation of Authority - TDY Per Diem for Dependents

Distribution:

Orig & 1 - SSA-DD/S w/n

1 - ER

2 - DD/P

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156.7 Special Provisions Relating to  
Payment of Per Diem to Families  
(AID)

a. Payment of per diem during a period of temporary duty of the employee but not to exceed 30 calendar days total is authorized for members of an employee's family accompanying him to post of assignment when employee is ordered to stop within the host country for orientation, training, or consultation while en route to post of assignment.

30  
WITHIN HOST COUNTRY  
TRAVEL TO POST

b. Lay-over per diem not to exceed 3 work-days may be authorized by the AID Mission Director when an employee and his family traveling on home leave, transfer, or separation orders must come to mission headquarters from an outlying post at the time of travel for the purpose of storing effects or obtaining passports, visas, or immunizations.

3  
TO MISSION HQS  
FR. OUT-POST  
EN ROUTE FOR HL etc.

} ADMIN.

c. Per diem may be authorized for the members of an employee's family during a period of his temporary duty but not to exceed 30 calendar days total when employee is ordered to stopover outside of country of destination for orientation, training, or other temporary duty while en route to post of assignment, provided that the stopover is in the positive interest of the Government and is necessary due to threat of health, safety, or well-being of family. If required to continue on to post of assignment other than in the company of the employee.

30  
STOP OUTSIDE COUNTRY OF DEST.  
EN ROUTE TO POST.

d. Per diem may be authorized members of families of AID officials during stopovers in AID/W while en route to overseas post of assignment in cases where the member of the family, because of representative responsibility, is required in the Government's interest to undergo special orientation and/or training designed to insure the effective discharge of those responsibilities.

30 FAMILY WONT HAVE TO  
TRAVEL ALONE

e. Stopovers shall not be authorized for members of families in connection with international, interagency, interregional, or inter-mission conferences.

25X1A  
Approved

5 JUN 1969

DP81-00261R000600030067-4

Help — I  
don't really understand  
where we are on these  
changes, Admin Auth #4  
and I'm surprised to read  
of new adaptive approval?  
Let's talk JWC

Done. Finished Business.

Proposal #4 approved by ADDS  
after Conf. with other Directorates

Place of residence ~~definition~~

means any tour PCS  
or the last tour

I thought we <sup>(OP)</sup> were discussing  
with CS reps to get their  
agreement on permanent  
place of residence. Not so ???

ILLEGIB



Approved For Release 2001/04/05 : CIA-RDP81-00261R000600030067-4

UNCLASSIFIED		CONFIDENTIAL		SECRET	
OFFICIAL ROUTING SLIP					
TO	NAME AND ADDRESS		DATE	INITIALS	
1	Executive Officer, DDS			JWC	
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COMMENT		FILE		RETURN	
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Remarks:					
This memo came directly from OP/PAD to us for action. Copy for your information.					
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Remarks:					
<p>The attached correspondence relates to the administrative authorities Task force deliberations, and probably should be filed with the Task force material, if you don't think so, please destroy it — I plan to do nothing more with it.</p>					
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FROM: NAME, ADDRESS AND PHONE NO.				DATE	
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TO	NAME AND ADDRESS			DATE	INITIALS
1	Special Support Assistant / DDS 7 D 18 Headquarters				
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<div style="text-align: right;">25X1A</div> <p><i>Copy sent to 10/23/68.</i></p> <p><i>hurd.</i></p>					
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FROM: NAME, ADDRESS AND PHONE NO.				DATE	
Director of Personnel 5 E 56 HQS.				23 OCT 1968	
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Approved For Release 2001/04/05 : CIA-RDP81-00261R000600030067-4

16 January 69

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*8/8*  
FVD [REDACTED] \*

SUBJECT: Family Per Diem ([REDACTED])

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Attached is the missing link on the family per diem bit. The three-day period AND delegation to Operating Official .... had their origin in this paper - DD/S 64-6078, 30 Nov 64 frm SSA to DD/S -- • DD/S approved.

25X1A Then - in April 65 a total travel reg package was submitted. A 6 April 65 memo frm Acting Dir/Fin includes statement that [REDACTED] is now relocated as [REDACTED] and that the three-day period had already been approved by the DD/S.

25X1A

P.

25X1A

[REDACTED]

*Class - from Van -*

*\* In light of this do you*

*think you can now get DD/P*

*OK or up to 3 to 10 days or*

*Heur over*

*realistic,*

*don't in and over a test*



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downgrading and  
declassification

*Swiss*

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APPROVAL				DISPATCH				RECOMMENDATION			
COMMENT				FILE				RETURN			
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Remarks:											
<p><i>Clos. Let's discuss.</i></p> <p></p>											
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FROM: NAME, ADDRESS AND PHONE NO.								DATE			

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